

### **REMARKS**

Applicants hereby request further consideration of the application in view of the amendments above and the comments that follow.

### **Status of the Claims**

Claims 1 and 5 stand rejected under Section 103(a) as being unpatentable over U.K. Patent Application GB 2 322 504 to Cho (Cho) in view of U.S. Patent No. 6,934,568 to Charlier et al. (Charlier).

### **The Rejections under Section 103**

Applicants respectfully submit that Charlier does not disclose any of the features of independent Claim 1 as suggested by the Action. The mobile terminal disclosed by Charlier comprises a base housing **16** with a display **26** and a keypad. The base housing **16** is rotatably coupled to a flip housing **12** that comprises a window **30** so that the display **26** is still visible even when the flip housing **12** is in a closed position (cf. **Figures 1 and 2** and corresponding description). However, the base housing **16** does not comprise any fixed structure projecting from the display plane being part of a hinge structure. In fact, the hinge assembly **22** rotatably connecting the flip housing **12** and the base housing **16** consists of two corners that are part of the flip housing **12** and have recessed inner hollow areas or cavities (*see, e.g.*, Charlier at column 4, lines 49-54). The base housing **16** comprises projections (extending to the left and the right in the plane of the base housing **16** and, thus, in the plane of the display **26**), which extend into these cavities. Around one or more of the projections, a torsional spring **42** is wound, which is rotatably coupled to the flip housing **12** and the base housing **16** (*see, e.g.*, Charlier at column 4, lines 54 and 55).

However, in contrast to the present invention as recited in Claim 1, Charlier does not disclose that the projections extend away from the plane of the display **26**. Further, Charlier does not disclose a separate rotatable structure that includes first and second parts that are rotatable against each other, whereby the rotatable structure extends through holes in the fixed structure as well as the lower casing. The difference between the present invention and

the Charlier solution becomes clearly visible when comparing **Figure 3** of the present application to **Figure 3** of Charlier. The rotatable structure of the present invention is shown with reference numerals **4a** and **4b**. Each of the rotating structures **4a** and **4b** includes two parts, which are rotatable against each other. Further, each of the rotating structures **4a** and **4b** is inserted in holes of the lower casing as well as the upper casing. This is a completely different solution than a torsional spring **42** as suggested by Charlier. The rotating structure of the present invention provides a much smoother opening and closing of the upper and the lower casings while at the same time providing a much more stable rotational connection.

Additionally, the fact that the present invention has fixed structures projecting from the display plane of the upper casing, whereby the fixed structures form part of the connection between the upper casing and the lower casing as recited in Claim 1, leads to the additional advantage that the lower casing of the mobile terminal of the present invention, which has the keypad, can be held in the palm of a user's hand while the upper casing with the display does not need to be held at all or can be only slightly supported by the fingers of the hand in such a way that the user can easily operate the keypad with his/her thumb. This is due to the fact that the upper casing with the display extends in a lower plane than the lower casing with the keypad.

For at least the foregoing reasons, the invention of Claim 1 would not have been obvious to one of ordinary skill in the art in view of Cho and Charlier. Accordingly, Applicants respectfully submit that Claim 1 is patentably distinguishable from the cited art. Claim 5 depends from Claim 1 and is therefore allowable as well for at least these reasons.

In re: Wada et al.  
Serial No.: 10/550,034  
Filed: June 19, 2006  
Page 6 of 6

---

**CONCLUSION**

Applicants respectfully submit that this application is now in condition for allowance, which action is requested. Should the Examiner have any matters outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.

Respectfully submitted,

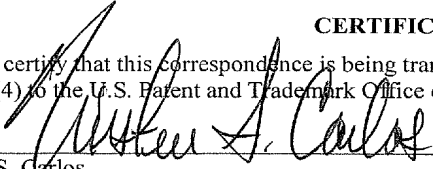


David D. Beatty  
Registration No. 38,071  
Attorney for Applicants

**USPTO Customer No. 54414**  
Myers Bigel Sibley & Sajovec, P.A.  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401

**CERTIFICATION OF TRANSMISSION**

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on December 12, 2007.

---

Kirsten S. Carlos